B6 Summary (Official Form 6 - Summary) (12/14)

# **United States Bankruptcy Court Eastern District of California**

In re	Salwasser, Inc.		Case No	15-11080-B-11
•	·	Debtor		
			Chapter	11

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	17,550,000.00		
B - Personal Property	Yes	4	125,974.24		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	7		38,196,367.63	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		0.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	16			
	To	otal Assets	17,675,974.24		
			Total Liabilities	38,196,367.63	

# **United States Bankruptcy Court**

Eastern District	oi Camorma	~ <del>-</del> .	1000 D 11
Salwasser, Inc.	,	Case No <b>15-1</b>	1080-B-11
ı	Debtor	Chapter	11
STATISTICAL SUMMARY OF CERTAIN LI	ABILITIES AN	D RELATED DA	TA (28 U.S.C. §
f you are an individual debtor whose debts are primarily consumer d case under chapter 7, 11 or 13, you must report all information requ	ebts, as defined in § 10		•
☐ Check this box if you are an individual debtor whose debts are report any information here.	NOT primarily consum	mer debts. You are not re	equired to
This information is for statistical purposes only under 28 U.S.C. §			
Summarize the following types of liabilities, as reported in the Sci	nedules, and total the	m.	
Type of Liability	Amount		
Domestic Support Obligations (from Schedule E)			
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)			
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)			
Student Loan Obligations (from Schedule F)			
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E			
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)			
TOTAL			
State the following:			
Average Income (from Schedule I, Line 12)			
Average Expenses (from Schedule J, Line 22)			
Current Monthly Income (from Form 22A-1 Line 11; OR, Form 22B Line 14; OR, Form 22C-1 Line 14)			
State the following:		-	
Total from Schedule D, "UNSECURED PORTION, IF ANY" column			
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column			
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column			
4. Total from Schedule F			
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)			

101(8)), filing

B6A (Official Form 6A) (12/07)

In re	Salwasser, Inc.	Case No <b>15-11080-B-11</b>
_		Debtor

### SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Processing Facility on 38 Acres of Real Property at 4215 North Howard Avenue Kerman, California 93630		-	12,500,000.00	25,645,297.04
APN 016-310-06S				
1.56 Acers of Real Property in Lots 12-15 in Sycamore Ranch, Fresno County	Fee simple	-	50,000.00	0.00
APN 016-020-21S				
Cold Storage and Scale Facility on 8 Acres of Real Property at 4677 North Howard Avenue Kerman, California 93630	Fee simple	-	5,000,000.00	771,675.07

Sub-Total > **17,550,000.00** (Total of this page)

Total > **17,550,000.00** 

**0** continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

APNs 016-310-20 and 016-310-21

B6B (Official Form 6B) (12/07)

In re	Salwasser, Inc.		Case N	lo	15-11080-B-11	
		Debtor				

## SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	x			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	Central 7100 N.	ng account ending in 7138 at Valley Community Bank Financial Drive, Suite 101 California 93720	-	474.24
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, including audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	X			
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issuer.	X			
				C 1 T 4	1. 474.04

**3** continuation sheets attached to the Schedule of Personal Property

474.24

Sub-Total >

(Total of this page)

B6B (Official Form 6B) (12/07) - Cont.

In re	Salwasser, Inc.	Case No. <b>15-11080-B-11</b>

Debtor

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

			(Continuation Sheet)		
	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	х			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.		100% Ownership interest in West Coast Growers, Inc.	-	0.00
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.		Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.	-	Unknown
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
			(Total	Sub-Tota of this page)	al > <b>0.00</b>

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re	Salwasser, Inc.	Case No	15-11080-B-11

Debtor

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	х			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and	1974	Chevy Dump Truck, acquired 5/1/79.	-	Unknown
	other vehicles and accessories.	2004	Mini-Cooper, acquired 1/16/04.	-	3,500.00
			White Volvo WX Low COE Truck Tractor; 10.0 esel, acquired 9/9/97.	L -	7,000.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and	Toyot	a fork lift, acquired 4/1/1982	-	Unknown
	supplies used in business.	2 bin	trailers, acquired 8/1/1990	-	Unknown
		Nissa 9/26/1	n fork lift, not licensed, leased, acquire 991	-	Unknown
		4 whe	el drive loader cat, acquired 8/1/1995	-	Unknown
		Appro	oximately 800 SDB-1 bins	-	40,000.00
		Appro	eximately 1,500 SDB-2 bins	-	75,000.00
			(Tota	Sub-Total of this page)	al > 125,500.00

Sheet 2 of 3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re	Salwasser, Inc.	Case No. <b>15-11080-B-11</b>
	·	

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O Description and Location of Property E	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
	Misc. office furnishings and equipment.	-	Unknown
	Misc. equipment used in processing plant	-	Unknown
30. Inventory.	x		
31. Animals.	x		
32. Crops - growing or harvested. Give particulars.	x		
33. Farming equipment and implements.	x		
34. Farm supplies, chemicals, and feed.	x		
35. Other personal property of any kind not already listed. Itemize.	x		

| Sub-Total > | 0.00 | | (Total of this page) | Total > | 125,974.24 |

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

B6D (Official Form 6D) (12/07)

In re	Salwasser, Inc.		Case No. <u>15-11080-B-11</u>	_
		Debtor		

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H V J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGEN	LIQUIDA	SPUTE	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.  3F Properties 9715 West California Fresno, CA 93706		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.	Т	T E D			
			Value \$ Unknown				154,423.30	Unknown
Account No.  Adam & Phillip Koligian 5636 West Kearney Boulevard Fresno, CA 93706		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown	1			423,303.81	Unknown
Account No.  Alice M. Kezirian 245 North Westlawn Fresno, CA 93723		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown	1			194,192.46	Unknown
Account No.  Americo Foglio, Jr. 9696 West Jensen Fresno, CA 93706		_	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown	1			165,264.41	Unknown
6 continuation sheets attached			(Total of t	Subt			937,183.98	0.00

In re	Salwasser, Inc.	Case No	. <u>15-11080-B-11</u>	
_	Debtor			

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C C C D E B T C R	) C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGEN	UNLIQUIDA	SPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.  Assemi & Sons, Inc. 1396 West Herndon, Suite 101 Fresno, CA 93711		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.	f	A T E D			
			Value \$ Unknown				10,032.57	Unknown
Account No.  Bob Cerveli 11015 West Belmont Fresno, CA 93722		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any o these funds will be repaid to debtor is unknown.	f				
			Value \$ Unknown	1			56,877.90	Unknown
Account No. xxxx #9289  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	December 30, 2008 Loan #9289 Processing Facility on 38 Acres of Real Property at 4215 North Howard Avenue Kerman, California 93630 APN 016-310-06S					
			Value \$ 12,500,000.00				1,974,310.62	0.00
Account No. xxxx #9854  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	January 31, 2008 Deed of Trust Loan #9854 on Cold Storage and Scale Facility on 8 Acres of Real Property at 4677 North Howard Avenue Kerman, California 93630 APNs 016-310-20 and 016-310-21					
		┸	Value \$ 5,000,000.00	┸			771,675.07	0.00
Account No.  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720	×	(   -	4/11/2013 & 3/25/2011 UCC-1 All assets					
			Value \$ Unknown				0.00	0.00
Sheet <u>1</u> of <u>6</u> continuation sheets Schedule of Creditors Holding Secured Cl		ed to	(Total of	Sub this			2,812,896.16	0.00

In re	Salwasser, Inc.	_	Case No <b>15-11080-B-11</b>
·	Debtor		

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H	DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDAT	I SPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	9/1/2010  UCC-1  Purchase Money Security Interest in Stem and Dirt Separating Shakers; Dry Cappers; Oscillating Grader; Conveyor		T E D			
			Value \$ Unknown	1			0.00	Unknown
Account No. xxxx #x0026  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	October 28, 2014 Deed of Trust Loan #10026 Processing Facility on 38 Acres of Real Property at 4215 North Howard Avenue Kerman, California 93630 APN 016-310-06S					
			Value \$ 12,500,000.00				21,730,358.26	11,204,668.88
Account No. xxxx #x0774  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	Loan #10774  Value \$ 0.00				855,442.02	855,442.02
Account No. xxxx #x1297  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	Loan #11297 Processing Facility on 38 Acres of Real Property at 4215 North Howard Avenue Kerman, California 93630  APN 016-310-06S  Value \$ 12,500,000.00				1,940,628.16	1,940,628.16
Account No. xxxx #9855  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		_	Loan #9855				77	77
			Value \$ 0.00				2,683,238.02	2,683,238.02
Sheet <u>2</u> of <u>6</u> continuation sheets a Schedule of Creditors Holding Secured Clai		d to	(Total of t	Subt his			27,209,666.46	16,683,977.08

In re	Salwasser, Inc.	Case No	. <u>15-11080-B-11</u>	
_	Debtor			

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C D E B T C R	HW	NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGEN	UNLIQUIDA	SPUTE	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxx #x0711  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	Loan #10711	_	DATED		0.000.070.04	0.000.070.04
Account No. xxxx #x0236			Value \$ 0.00 Loan #10236			Н	2,930,370.61	2,930,370.61
Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	Value \$ 0.00				245,443.02	245,443.02
Account No. xxxx #x0352			Loan #10352			П	-,	-, -
Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	Value \$ 0.00				134,136.28	134,136.28
Account No. xxxx #xxxx6166		$^{+}$	Loan #15806166	+		Н	134,130.26	134,130.20
Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	Value \$ 0.00				407,683.51	407,683.51
Account No. xxx #xxx5812		T	DDA #9135812			П	,	,
Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-						
			Value \$ <b>0.00</b>			Ц	451,155.59	451,155.59
Sheet <u>3</u> of <u>6</u> continuation sheets Schedule of Creditors Holding Secured Cla		ed to	O (Total of	Sub this			4,168,789.01	4,168,789.01

In re	Salwasser, Inc.		Case No <b>15-11080-B-11</b>
		Debtor	

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	A M H	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGEN	UNLIQUIDA	I SPUTE	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxx #xxx6088  Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720		-	DDA #9136088	Т	T E D			
Account No.  Curtis or Lanette Helmuth 4405 North Sycamore Kerman, CA 93630		-	Value \$ 0.00  Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.  Value \$ Unknown				1,681,669.36 50,000.00	1,681,669.36 Unknown
Account No.  Daryl J. Horowitt Coleman & Horowitt 499 W. Shaw Ave., Ste. 116 Fresno, CA 93704		-	Notice only  Value \$ 0.00				0.00	0.00
Account No.  De Lage Landen Financial Services, Inc. P.O. Box 41602 Philadelphia, PA 19101-1602		-	3/23/2009  UCC-1  All equipment pursuant to contract  Value \$ 0.00				0.00	0.00
Account No.  Dennis Reitz 10751 West Dakota Fresno, CA 93722		_	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.  Value \$ Unknown				21,256.25	Unknown
Sheet <u>4</u> of <u>6</u> continuation sheets att Schedule of Creditors Holding Secured Claim		ed to		ubt nis			1,752,925.61	1,681,669.36

In re	Salwasser, Inc.	Case No	. <u>15-11080-B-11</u>	
_	Debtor			

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	A M H	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	UNLIQUIDA	SPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.  Deran Koligian Farms, LP 5636 West Kearney Boulevard Fresno, CA 93706		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.	T	A T E D			
			Value \$ Unknown				856,263.31	Unknown
Account No.  George Holland Farms P.O. Box 80 Kerman, CA 93630		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown	1			54,756.86	Unknown
Account No.  Jim Helmuth 2435 North Vineland Kerman, CA 93630		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown	1			15,998.34	Unknown
Account No.  Keith & Mimi Koligian 8467 West Kearney Boulevard Fresno, CA 93706		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown	1			26,175.60	Unknown
Account No.  Peter Kezirian 245 North Westlawn Fresno, CA 93723		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.				,	
			Value \$ Unknown				38,943.19	Unknown
Sheet <u>5</u> of <u>6</u> continuation sheets Schedule of Creditors Holding Secured C		ed to	(Total of	Sub his			992,137.30	0.00

In re	Salwasser, Inc.	. Ca	ase No	15-11080-B-11
-	Debtor	,		

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	1	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	UNLIQUIDA		AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.	Ī		Notice Only	Ť	A T E D			
Raisin Bargaining Association 2444 North Main Street, Suite 160 Fresno, CA 93721		-	Value \$ <b>0.00</b>				0.00	0.00
Account No.	t	H	Account receivable for inventory			Н	0.00	0.00
Reitz Living Trust 10751 West Dakota Fresno, CA 93722		-	delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown			Ш	21,256.25	Unknown
Account No.  Thelma Foglio 9715 West California Fresno, CA 93706		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown			Ш	218,682.52	Unknown
Account No.  Toste Family Farms, LP 405 North Goldenrod Kerman, CA 93630		-	Account receivable for inventory delivered to West Coast Growers in the amount of \$2,601,847.69. Whether any of these funds will be repaid to debtor is unknown.					
			Value \$ Unknown			Ш	82,830.34	Unknown
Account No.			Value \$					
Sheet 6 of 6 continuation sheets atta		d to			tota		322,769.11	0.00
Schedule of Creditors Holding Secured Claim	S		(Report on Summary of Sc	7	Γota	ıl	38,196,367.63	22,534,435.45

B6E (Official Form 6E) (4/13)

In re	Salwasser, Inc.		Case No	15-11080-B-11	
		Debtor	,		

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

11. 1 1.11

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
Domestic support obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative
of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
☐ Extensions of credit in an involuntary case
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of trustee or the order for relief. 11 U.S.C. § 507(a)(3).
☐ Wages, salaries, and commissions
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sale representatives up to \$12,475* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
☐ Contributions to employee benefit plans
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
☐ Certain farmers and fishermen
Claims of certain farmers and fishermen, up to \$6,150* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
☐ Deposits by individuals
Claims of individuals up to \$2,775* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
☐ Taxes and certain other debts owed to governmental units
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
☐ Commitments to maintain the capital of an insured depository institution
Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federa Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
☐ Claims for death or personal injury while debtor was intoxicated
Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

continuation sheets attached

<sup>\*</sup> Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6F (Official Form 6F) (12/07)

In re	Salwasser, Inc.		Case No.	15-11080-B-11
		Debtor		

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

...........

Check this box if debtor has no creditors holding unsecur	ed c	laın	ns to report on this Schedule F.					
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H V C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	COXT-ZGEZT	UNLLQULDAH	[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]		AMOUNT OF CLAIM
Account No.	ł			T	T E D	l		
Charlotte Salwasser 4087 N. Howard Kerman, CA 93630		-						Unknown
Account No.	T	T	Additional notice for West Coast Growers			T	T	
Hagop Bedoyan Klein, DeNatale, Goldner 5260 N. Palm Ave., Ste 201 Fresno, CA 93704		-						0.00
Account No.	$\vdash$	_	Additional notice for Charlotte Salwasser			+	+	0.00
Thomas H. Armstrong 5250 N. Palm Ave., Ste. 224 Fresno, CA 93704		-						
Account No.	┞	$\vdash$				╀	4	0.00
West Coast Growers 4087 N. Howard Kerman, CA 93630		-						Unknown
continuation sheets attached			S (Total of t	Subt his p			)	0.00
			(Report on Summary of Sc		ota lule		)	0.00

B6G (Official Form 6G) (12/07)

In re	Salwasser, Inc.			Case No	15-11080-B-11	
-	·		>	_		
		Debtor				

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest.
State whether lease is for nonresidential real property.
State contract number of any government contract.

Riley C. Walter Walter & Wilhelm Law Group, P.C. 205 E. River Park Circle Fresno, CA 93720

Russell Harris P.O. Box 787 Chowchilla, CA 93610

Timothy Jones, Esq. Wanger Jones Helsley, P.C. 265 E. River Park Circle, Ste. 310 Fresno, CA 93720 Option to purchase real property located at 4215

Additional notice for Russell Harris.

N. Howard Avenue, Kerman, California.

Additional notice for Russell Harris.

B6H (Official Form 6H) (12/07)

In re	Salwasser, Inc.		Case No	15-11080-B-11
-	·	Debtor		

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Charlotte Salwasser	Central Valley Community Bank
4087 N. Howard	7100 N Financial Dr #101
Kerman, CA 93630	Fresno, CA 93720
George Salwasser	Central Valley Community Bank
410 Sunset Court	7100 N Financial Dr #101
Morro Bay, CA 93442	Fresno, CA 93720
West Coast Growers	Central Valley Community Bank
4087 N. Howard	7100 N Financial Dr #101
Kerman, CA 93630	Fresno, CA 93720

## Case 15-11080 Filed 04/03/15 Doc 19

B6 Declaration (Official Form 6 - Declaration). (12/07)

# United States Bankruptcy Court Eastern District of California

In re	Salwasser, Inc.		Case No.	15-11080-B-11					
		Debtor(s)	Chapter	11					
	DECLARATION CONC	ERNING DEBTOR'S	SCHEDUL	ES					
	DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP								
I, the President & Authorized Signatory of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of18 sheets, and that they are true and correct to the best of my knowledge, information, and belief.									
Date	April 3, 2015 Signa	ture <u>Charlotta S</u> Charlotte Salwassser	ممسامد	ser_					

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.

18 U.S.C. §§ 152 and 3571.

**President & Authorized Signatory** 

# **United States Bankruptcy Court Eastern District of California**

In re	Salwasser, Inc.	Case No.	15-11080-B-11	
		Debtor(s)	Chapter	11

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112: Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any persons in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(2), (31).

### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$617,758.01 2015 - Year-to-Date Gross Income for fiscal year ending 8/31/2015

\$5,674,931.00 2014 - Gross Income for fiscal year ending 8/31/2014 \$6,146,783.00 2013 - Gross Income for fiscal year ending 8/31/2013

### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

2

#### 3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL PAYMENTS AMOUNT PAID OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$6,225\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR Adam & Phillip Koligian 5636 West Kearney Boulevard Fresno, CA 93706	DATES OF PAYMENTS/ TRANSFERS 1/23/2015 - \$25,000 1/29/2015 - \$25,000 2/11/2015 - \$25,000	AMOUNT PAID OR VALUE OF TRANSFERS \$75,000.00	AMOUNT STILL OWING <b>\$423,303.81</b>
Americo Foglio, Jr. 9696 West Jensen Fresno, CA 93706	1/17/2015	\$10,000.00	\$165,264.41
CIG Insurance	2/24/2015 - \$3,132.00 3/19/2015 - \$3,132.00	\$6,264.00	\$0.00
Thelma Foglio 9715 West California Fresno, CA 93706	1/23/2015	\$10,000.00	\$218,682.52
Thunderstruck Contracting	12/24/2014 - \$8,442.36 1/8/2015 - \$8,214.37	\$16,656.73	\$0.00
Central Ag, Inc.	1/6/2015 - \$2,444.16 2/3/2015 - \$3,001.60 2/10/2015 - \$3,001.60	\$8,447.36 \$0.00	

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR
West Coast Growers, Inc.
4087 North Howard
Kerman, CA 93630

**Affiliate** 

AMOUNT STILL DATE OF PAYMENT AMOUNT PAID OWING 6/5/2014 \$5,000.00 \$0.00

<sup>\*</sup> Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None 

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT NATURE OF COURT OR AGENCY STATUS OR **PROCEEDING** AND CASE NUMBER AND LOCATION DISPOSITION Central Valley Community Bank v. Salwasser, Civil Superior Court of California, County of Pending

Inc. et al

Fresno

Case No. 15 CE CG 00424

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE

DATE OF SEIZURE BENEFIT PROPERTY WAS SEIZED

DESCRIPTION AND VALUE OF **PROPERTY** 

#### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER

DATE OF REPOSSESSION. FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF **PROPERTY** 

## 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN

NAME AND LOCATION OF COURT

CASE TITLE & NUMBER

DATE OF ORDER

DESCRIPTION AND VALUE OF

**PROPERTY** 

7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

4

#### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case.** (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

#### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

Fear Law Group, P.C. 7750 N. Fresno Street, Ste. 101 Fresno, CA 93720 DATE OF PAYMENT, NAME OF PAYER IF OTHER THAN DEBTOR Prior to filing AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
See 2016(b) statement

See 2016(b) statement

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR Central Valley Community Bank

Central Valley Community Bank 7100 N Financial Dr #101 Fresno, CA 93720 None DATE

Recorded November 6, 2014

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

Debtor signed a deed of trust to CVCB on real property located at 4215 North Howard Avenue, Kerman, California, APN 016-320-06S, to secure a revolving line of credit with CVCB. The deed of trust was recorded on November 6, 2014.

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST

IN PROPERTY

### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

5

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

#### 15. Prior address of debtor

None

If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

## 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS

NAME AND ADDRESS OF GOVERNMENTAL UNIT DATE OF NOTICE ENVIRONMENTAL LAW

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b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DATE OF NOTICE

**ENVIRONMENTAL** 

LAW

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF **GOVERNMENTAL UNIT** 

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None П

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

> LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO.

NAME (ITIN)/ COMPLETE EIN

West Coast Growers. Inc.

ADDRESS

4087 N. Howard Kerman, CA 93630 NATURE OF BUSINESS

Dried fruit processing. Debtor owns all shares of West Coast Growers,

Inc.

**BEGINNING AND ENDING DATES** 

October, 2005 through current

None

NAME

**ADDRESS** 

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

### 19. Books, records and financial statements

None 

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Amy Bailey 4087 North Howard Avenue Kerman, CA 93630 Sandra Funk 6700 First Street, Suite 129 Fresno, CA 93710 DATES SERVICES RENDERED

DOLLAR AMOUNT OF INVENTORY

(Specify cost, market or other basis)

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME ADDRESS DATES SERVICES RENDERED

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME ADDRESS

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS DATE ISSUED

INVENTORY SUPERVISOR

#### 20. Inventories

None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory,

and the dollar amount and basis of each inventory.

None b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.

DATE OF INVENTORY

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

#### 21. Current Partners, Officers, Directors and Shareholders

None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS
TITLE
NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

Charlotte E. Salwasser & George Salwasse Shareholders 100% of shares owned as community 4677 North Howard Avenue property

Kerman, CA 93630

### 22 . Former partners, officers, directors and shareholders

None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS DATE OF WITHDRAWAL

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None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

### 23. Withdrawals from a partnership or distributions by a corporation

None

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NAME & ADDRESS
OF RECIPIENT,
RELATIONSHIP TO DEBTOR
West Coast Growers, Inc.
4087 North Howard
Kerman, CA 93630
Affiliate

DATE AND PURPOSE OF WITHDRAWAL 6/5/2014 AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$5,000.00

24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

\*\*\*\*

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date April 3, 2015

Signature

Charlotte Salwassser

**President & Authorized Signatory** 

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

# United States Bankruptcy Court Eastern District of California

re Salwasser, Inc.		Case No.	15- 11080-B-11
	Debtor	, Chapter	11
LIST O	F EQUITY SECURITY	HOLDERS	
Following is the list of the Debtor's equity security			
Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
George & Charlotte Salwasser			100% of stock of corporation as community property
DECLARATION UNDER PENALTY	OF PERJURY ON BEHAL	F OF CORPORAT	TION OR PARTNERSHIP
I, the President & Authorized Signa perjury that I have read the foregoing Lis information and belief.			
Date April 3, 2015		Charletten	alwasan
		narlotte Salwassser	I Cianatanı

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.

18 U.S.C §§ 152 and 3571.

# **United States Bankruptcy Court** Eastern District of California

in re Saiwasser, inc.		Case No.	15-11080-B-11
	Debtor(s)	Chapter	11
CO	RPORATE OWNERSHIP STATEMENT (	RULE 7007.1)	
recusal, the undersigned counsel corporation(s), other than the deb	kruptcy Procedure 7007.1 and to enable the Jude for Salwasser, Inc. in the above captioned botor or a governmental unit, that directly or incests, or states that there are no entities to report	action, certifies lirectly own(s)	that the following is a (are) 10% or more of any class of
■ None [ <i>Check if applicable</i> ]			
April 3, 2015	/s/ Peter L. Fear		
Date	Peter L. Fear 207238		
	Signature of Attorney or Litiga	nt	
	Counsel for Salwasser, Inc. Fear Law Group, P.C.		
	7750 N. Fresno Street, Ste. 101		
	Fresno, CA 93720		
	559.436.6575 Fax:559.436.6580		

pfear@fearlaw.com

# **United States Bankruptcy Court** Eastern District of California

In r	e Salwasser, Inc.		Case No.	15-11080-B-11	
		Debtor(s)	Chapter	11	
	DISCLOSURE OF CO	OMPENSATION OF ATTO	ORNEY FOR DI	EBTOR(S)	
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptce paid to me within one year before the filing of behalf of the debtor(s) in contemplation of or i	the petition in bankruptcy, or agreed to	o be paid to me, for serv		
For pre-filing legal services and costs, I have agreed to accept		\$	15,924.60		
	Prior to the filing of this statement I have	received	\$	15,924.60	
	Balance Due		\$	0.00	
2.	The source of the compensation paid to me wa	is:			
	Debtor Other (specify):	On February 20, 2015, a retainer by K&G Enterprises on behalf of from this retainer to pay pre-filing leaving a retainer balance of \$4,0	Debtor. Prior to filing g fees and expenses (ir	\$15,924.60 was drawn down	
3.	The source of compensation to be paid to me i	s:			
	Debtor Other (specify):				
4.	I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm				
	I have agreed to share the above-disclosed copy of the agreement, together with a list				
5.	In return for the above-disclosed fee, I have ag	greed to render legal service for all asp	ects of the bankruptcy of	ease, including:	
	<ul><li>a. Analysis of the debtor's financial situation,</li><li>b. Preparation and filing of any petition, sche</li><li>c. Representation of the debtor at the meeting</li></ul>	dules, statement of affairs and plan wh	ich may be required;		
6.	By agreement with the debtor(s), the above-dis	sclosed fee does not include the follow	ing service:		
		CERTIFICATION			
this	I certify that the foregoing is a complete stater bankruptcy proceeding.	nent of any agreement or arrangement	for payment to me for r	epresentation of the debtor(s) in	
Date	ed: <b>April 3, 2015</b>	/s/ Peter L. Fea	ır		
		Peter L. Fear 2	07238		
		Fear Law Grou 7750 N. Fresno	p, P.C. Street, Ste. 101		
		Fresno, CA 937	720		
		559.436.6575   pfear@fearlaw	Fax: 559.436.6580		
		pical @leallaw			